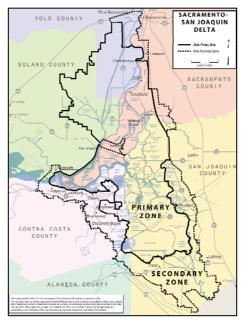
DELTA PROTECTION COMMISSION LAND USE AND RESOURCE MANAGEMENT PLAN UPDATE PROGRESS REPORT – MARCH 26, 2009

This written progress report reviews activities completed between the last DPC briefing on January 22, 2009, and the DPC's March 26, 2009, meeting.



Per direction of the Delta Protection Commission (DPC), DPC staff, assisted by the California State University Sacramento's Center for Collaborative Policy (CCP), have continued to update the Commission's Land Use and Resource Management Plan.

Project Goals

- Engage Stakeholders to assist the Commission in Updating the Land Use Plan.
- Provide a comprehensive and cohesive framework for overall land use planning in the region as provided for in the Delta Protection Act.
- Enhance stewardship of the Sacramento San Joaquin Delta.
- Outline a dynamic approach for influencing the implementation of various Delta initiatives being proposed by other jurisdictions to be consistent with the Management Plan and the provisions of the Act.

Public Workshops on the Public Review Draft Plan

DPC staff, with facilitation by CCP, hosted two public workshops in the Delta to receive public input on the Public Review Draft Plan. The first was held on February 4, 2009, at the Isleton Community Center in Isleton, and was attended by 8 people. The second was held on February 11, 2009, at the Courtland Auditorium in Courtland, and was attended by 16 people.

Key themes that emerged from the two public workshops included:

- (1) Under the <u>Land Use Element</u> (P-3), agricultural buffers continued to garner a very large amount of discussion, with concerns about
 - a. their scientific and technical basis
 - b. minimum width standards
 - c. the location of buffers
 - d. appropriate vegetation
 - e. consistency across the five Delta counties
 - f. local government flexibility
- (2) Under the <u>Land Use Element</u> (P-4, P-11, and P-12), residential growth also continued to garner a very large amount of discussion, with concerns about
 - a. the location of new housing in the Primary Zone

- b. how new housing should be linked to infrastructure and flood control
- c. the applicability of historical growth rates to future development
- d. the applicability of 1992 zoning codes
- e. transfer of development rights
- f. clustering
- g. the relationship with agricultural labor camps and housing
- (3) Under the Water Element (P-5), with regard to conveyance, there was debate about whether the DPC should include a policy on this in the Management Plan. In cases where people supported including such a policy, there was some support for each of the options.
- (4) Under the <u>Levee Element</u> (P-5), levee standards garnered a large amount of discussion, with concerns about
 - a. which minimum design standards and what level of flood protection should be adopted
 - b. appropriate levee vegetation
- (5) Under the <u>Utilities and Infrastructure Element</u> (P-5), Delta roads and transportation garnered a large amount discussion, with concerns about
 - a. whether it is possible to prevent commuter traffic, and if so how
 - b. whether it would be preferable to accommodate existing commuter traffic
 - c. how to promote public safety and emergency services
 - d. how to improve the quality of existing Delta roads

Planning Advisory Team Meeting

The 12-member Management Plan Update Planning Advisory Team, convened by CCP to represent needed areas of policy expertise, met a final time on March 5, 2009. They reviewed the input generated during Commission discussions on January 22, 2009, in correspondence received after the January meeting, and at the two public workshops in February. The Team considered all comments and developed consensus language where they felt amendments were necessary. In the four instances where the Team could not come to agreement on a revision, they generated and refined a series of policy options to aid the DPC's work.

Options exist for the following policies:

- Land Use P-3 (2 options)
- Land Use P-4 (4 options)

- Land Use P-12 (2 options)
- Water P-4 (4 options)

The Team had a prolonged discussion about the policy options for residential development.

The Team felt that it was most helpful to consider four policies – Land Use P-4, P-11, and P-12,

and Agriculture P-5 – together as a single package. The Team felt that these policies are complementary and need to be consistent with each other in order to achieve the Plan's overall goal of assuring orderly, balanced conservation and development of Delta land resources.

Several points were clarified during the discussion. The Team agreed that the proliferation of residential development in the Primary Zone is not desired. However, they felt further discussion was needed on at least two topics:

- (1) whether new development must occur next to existing unincorporated towns, or could occur elsewhere in the Primary Zone
- (2) whether historical growth rates are appropriate to apply to future growth for example, it was noted that the transfer of development rights could encourage a higher-than-historical growth rate, but support the Plan's overall goals

The Team observed that a **general tension** exists between the desire for planners, developers, and property-owners to have clear and certain requirements, on the one hand; and the desire to respect the autonomy of local government and its need for flexibility, on the other hand.

The Team also reviewed a **draft glossary** generated by DPC staff, and suggested additions and additional research.

The Team also made the structural recommendation that the updated Plan (1) list relevant legislation at the time of publication (e.g., applicable flood legislation), but also (2) provide a link to a permanent DPC webpage that provides an updated listing of relevant legislation. The Team felt that together these two activities would provide an immediate reference for Plan users, but also allow for changes in the legislative context of the Delta.

Finally, the Team agreed that the Plan should be reviewed (and updated if deemed appropriate) every five years, and that recommendations for implementing the Plan should be provided for in the DPC's Strategic Plan.

Public Review Draft Plan - Revised March 13, 2009

DPC staff and the consulting team revised the Public Review Draft Plan according to the Planning Advisory Team's specifications. The current document in front of the DPC is the Public Review Draft Revised March 13, 2009.

In addition to revised policy text, (1) a revised draft glossary, (2) a draft cross-reference guide, and (3) a draft index of terms is now available for DPC review.

Next Steps

<u>Public hearings</u> will be held in April and May as required by the Act, and a final Public Review Draft Plan will come back to <u>the Commission</u> for finalization and/or adoption at their July 23, 2009, meeting.

Respectfully Submitted:
Dorian Fougères, Ph.D.
Facilitator & Mediator
Center for Collaborative Policy
California State University, Sacramento